

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

STATE OF NEW JERSEY,

Plaintiff,

V.

UNITED STATES DEPARTMENT OF
TRANSPORTATION, *et al.*,

Defendants,

and

METROPOLITAN TRANSPORTATION
AUTHORITY, *et al.*,

Defendant-Intervenors.

No. 23-3885 (LMG-LDW)

NOTICE OF MOTION TO STAY PROCEEDINGS

PLEASE TAKE NOTICE that Defendants,¹ by and through their counsel, the United States Department of Justice, will move before the Honorable Leo M. Gordon, on April 7, 2025 or on such date as the Court orders, for an Order pursuant to Fed. R. Civ. P. 7(b) and 16(b) to stay proceedings until after entry of final judgment in *Metro. Transpo. Auth. v. Duffy*, 1:25-cv-1413 (S.D.N.Y.).

PLEASE TAKE FURTHER NOTICE that Defendants will rely on the attached memorandum of law to support its Motion to Stay Proceedings.

¹ Defendants are the U.S. Department of Transportation, the Federal Highway Administration (“FHWA”), Gloria M. Shepherd, in her official capacity as Acting Administrator of FHWA (automatically substituted for Shailen Bhatt under Fed. R. Civ. P. 25(d)), and Richard J. Marquis, in his official capacity as Division Administrator of the New York Division of FHWA.

PLEASE TAKE FURTHER NOTICE that in accordance with Local Rule 7.1(e), a
Proposed Order Granting Defendants' Motion to Stay Proceedings is attached hereto.

Respectfully submitted this 25th day of February 2025,

LISA LYNNE RUSSELL
Deputy Assistant Attorney General
United States Department of Justice
Environment & Natural Resources Division

/s/ GREGORY M. CUMMING
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